

TRANSPORTATION PERFORMANCE AUDIT BOARD

Friday, September 9, 2005
9:30 a.m. – 12:30 p.m.
Conference Room
Puget Sound Regional Council
Seattle, WA

- Minutes -

The meeting was called to order by Chair Doug Hurley at approximately 9:35 a.m. Members present were: Fanning, Forner, Hurley, Jacobson, Ray, Sandaas, Swecker, Wallace and Woods.

1. Report of the Chair

Chair Hurley briefly went over today's agenda and indicated that the monorail discussion was pulled from the agenda. He indicated that the pre-draft letter which was reviewed and discussed at the August 31 meeting was forwarded to a limited audience for review.

Rep. Woods indicated that the monorail unveiled a new proposal and it will be going on the ballot in November. She then suggested that if the board makes any recommendations on this project, one should be that a cost/benefit analysis be conducted.

Sen. Swecker suggested that the board should look at this project at a strategic level and that a recommendation of the board or consideration of the next legislature should be that the future of the project be planned, funded and executed in conjunction with the RTID as opposed to "in isolation." Chair Hurley concurred and suggested adding it to Recommendation 2 in the letter.

Discussion of the board expressed the importance of addressing this issue prior to any real problems occurring, concluding that not stepping in at this phase, will make it difficult for the board to gain the credibility it wants.

Doug Hurley introduced Ruta Fanning and Dick Sandaas, as they were both in attendance by phone during their first TPAB meeting on August 31.

a) **Minutes** – The minutes of the August 5, 2005 meeting were approved.

2. Administrator Report

Dalene Sprick, TPAB staff, highlighted the status of TPAB's current projects.

She indicated that the Hood Canal Graving Dock audit may be delayed by a couple of weeks due to a lawsuit filed by the tribe on August 12, 2005 which coincided with the time the consultants were in town to conduct interviews. She stated that the tribe has decided not to participate at this time.

On the DOT recurring Capital & Performance Measures for the Transportation Partnership Account she stated that the Transportation Work Group is working with GMAP on some overlapping issues so that efforts are not duplicated and the board is not expending funds for something that the Department of Transportation will be producing anyway.

Ms. Sprick stated that the addendum was issued for the Benchmarks, Goals and 10-year Planning Criteria and Process Study and that Letters of Intent are due September 14 with proposals due on September 23.

Regarding the Communications/Public Relations Firms Project -- the apparent winner was announced at the August 31 meeting. Contract negotiations are currently taking place.

Member comments:

- Senator Swecker asked if there will be any change in the tribe's participation in the audit process relative to the Hood Canal Bridge project. Keenan Konopaski, JLARC staff, stated that the tribe sent JLARC a formal response through their attorney indicating that they were going to suspend any participation in the interviewing and audit process. JLARC subsequently sent a response reminding them what the scope of issues were that JLARC was looking at and that they may not be directly related, so again invited them to participate. At this point, JLARC is unsure as to their future participation, but the communication remains open. Ruta Fanning expressed her gratitude that the lawsuit did not stop the process completely.
- Elmira Forner stated that she is named in the lawsuit and asked if she should recuse herself from this discussion. Chair Hurley stated that the question will be brought to our attorney.
- Chair Hurley asked that Rep. Woods and Ruta Fanning continue discussions regarding the Hood Canal Bridge project regarding the importance of participation of all parties involved, and the practicality of proceeding with the project and follow-up with the board at a later meeting.

3. Communications/Public Relations

Doug Hurley established a subcommittee to continue working on the Communications issue. He asked that Janet Ray, Elmira Forner and Linda Long continue their work on this issue.

Member comments:

- Rep. Wallace expressed her concern that all areas of the state, not just Puget Sound, be considered in the area of Communications. Janet Ray assured her that all areas will be represented.

4. Discussion of Recurring Capital and Transportation Partnership Account Performance Measures Study

Chair Hurley stated that in addition to Ms. Sprick's earlier comments that money would be saved by GMAP gathering data from DOT and not having TPAB's consultant gathering the same data, he stated that a meeting has been scheduled including senior staff of DOT, GMAP staff, OFM staff, and he and Ms. Sprick to pin down the details of this effort.

5. Business Process Review Accountability Study and Operating Procedures and Standards for TPAB (based on law, Yellow Book and GASB - to include strategic statement and criteria)

Chair Hurley talked briefly about the four Accountability Recommendations that were previously brought before the board and indicated that due to law, yellow book and GASB standards, the original recommendations need to be revisited. He asked the board if anyone would be available to form a subcommittee and review this in more detail. Rep. Wallace, Rep. Woods and John Ostrowski agreed to work on this issue.

6. Complex Environmental Permitting Final Report

Keenan Konopaski, JLARC staff, referred to and discussed the changes to the eight preliminary recommendations of the Environmental Permitting Report.

Member comments:

- Elmira Forner asked if there were limitations added to the resource agencies, to possibly request response within a certain timeframe and expressed the importance of meeting ad dates. Mr. Konopaski stated that this was not in JLARC's recommendations, but rather an emphasis to ensure the focus is on coordinating the planning so the agencies that have the permits can anticipate when they need to have staff available so permitting is done in a timely manner.
- Senator Swecker stated that some deadlines for agencies are too short and unrealistic. He suggested revising the language in Recommendation 1 to read: "WSDOT should coordinate ~~its~~ all phases of project scheduling..."
- Rep. Wallace indicated that WSDOT does have a process and perhaps that WSDOT's language be put in the recommendation to emphasize the importance that WSDOT use what they already have in place. Mr. Konopaski stated that they did see clear evidence of coordination, but wanted to make the process better.
- Chair Hurley suggested changing the language in Recommendation 1 to read: "As part of WSDOT's managing project delivery process, WSDOT should coordinate...."
- In response to Recommendation 2, Michael Jacobson expressed concern as to the ability for the state of Washington to obtain Section 404 permitting authority. He stated that this should not be a recommendation because he sees no value. Chair Hurley suggested that Mr. Jacobson, Sen. Swecker and Scott Boetcher of the Department of Ecology work together and do an analysis of this recommendation.
- Rep. Wallace asked that the four parameters that the EPA has given as a reason for not allowing other states to participate in the joint program be used in part during the analysis.
- Regarding Recommendation 8, Rep. Wallace suggested follow-up from agencies to report back that the recommendation is happening. Keenan Konopaski, JLARC staff, stated that once there is concurrence from the agencies that they agree with the recommendations, there is an expectation that they will provide updates on all recommendations.

7. Quarterly Gray Notebook Review

Daniela Bremmer, WSDOT staff, gave a brief history of the Gray Notebook and reviewed a new document entitled "Navigating the Gray Notebook." She then provided an overview of the Gray Notebook and Gray Notebook Lite for quarter ending June 30, 2005.

Chair Hurley formed a subcommittee consisting of himself, Dick Sandaas, Michael Jacobson, and possibly Karl Herzog of GMAP as an ex-officio member to, among other things, review the Gray Notebook and become the official questionnaires for the board.

8. Budget Update and Review

Chair Hurley indicated that the Communication piece in this agenda item will be held for discussion at a later date.

Dalene Sprick, TPAB staff, gave an overview of the legislation that redefined what a transportation-related agency is, which expanded TPAB's scope to includes any state or local agency board or special purpose district or commission that receives or generates funding primarily for transportation-related purposes. Based on this, she provided members with a menu of potential subjects & topics for TPAB consideration

and a draft list of potential agencies, boards, commissions and special districts that TPAB could potentially review or audit.

Ms. Sprick indicated that after discussions with House and Senate Transportation Committee staff, it was discovered that TPAB was likely responsible for reviewing public transportation benefit areas, unincorporated transportation benefit areas, airport districts and a number of other entities—most of the transit agencies.

She then stated the uncertainty as to whether RTPO's and port districts should be included or not. She posed the question to the board and suggested that they make the determination, or suggested that perhaps the question could be taken back to the Legislature for further information.

Member comments:

- Rep. Wallace expressed that TPAB needs to look at how to prioritize and decide what criteria should be used in selecting which entities TPAB should review.
- Michael Jacobson suggested that JLARC or the newly formed citizen's oversight board may have existing criteria that TPAB could look at.
- Senator Swecker suggested a constellation overlay approach in determining the criteria.
- Janet Ray encouraged the board to blend its guidelines with public comments in the criteria.
- Elmira Forner indicated that she would like to somehow see that TPAB's influence is making a difference in how agencies are doing business.
- Members joined in a discussion regarding the issue of TPAB participating in the governance review.

The meeting was adjourned at 12:55 p.m.